

**BY ORDER OF THE SECRETARY
OF THE AIR FORCE**

AIR FORCE INSTRUCTION 34-206

7 AUGUST 2012

Services



**VENDING FACILITY PROGRAM FOR
THE BLIND ON AIR FORCE PROPERTY**

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

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This instruction implements Air Force Policy Directive (AFPD) 34-2, *Managing Nonappropriated Funds*, and Department of Defense (DoD) Instruction (DoDI) 1125.03, *Vending Facility Program for the Blind on DoD-Controlled Federal Property*. It provides uniform guidance on the vending facility program for the blind on federal property under Air Force. Use this instruction with DoD Instruction 1125.03. This instruction does not apply to full food services, mess attendant services, or other services supporting the operation of a military dining facility. Send comments or recommendations using Air Force Form 847, *Recommendation for Change of Publication*, to Air Force Personnel Center Services Directorate Management Support (AFPC/SV), 2261 Hughes Ave, Suite 156, Lackland AFB, TX 78236-9852. This instruction applies to all Air Force organizations, including the Air Force Reserve and the Air National Guard (when located on federal property). Ensure all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule located at <https://www.my.af.mil/afrims/afrims/afrims/rims.cfm>

SUMMARY OF CHANGES

This publication has been substantially revised and must be completely reviewed. Major changes include updated guidance from DoDI 1125.03, which has been changed from a DoD Directive. This revision also updates office symbols, attachments, responsibilities and program guidelines.

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Chapter 1

PROGRAM OVERVIEW

1.1. Randolph-Sheppard Act Program Overview. The blind have a priority right to operate vending facilities on DoD-controlled property under the provision of the Randolph-Sheppard Act when the opportunity to operate them becomes available. The priority extended allows blind licensees to be gainfully employed while primary responsibility for carrying out this intent falls upon the State Licensing Agency (SLA). It is nevertheless a responsibility of the installation commander (the on-site official) to ensure that the operator is in fact a state licensed blind person and that sighted employees or assistants are utilized only to the extent reasonably necessary.

1.2. When implementing the Randolph-Sheppard Vending Stand Act, priority on DoD-controlled property will be extended to the blind as set out below:

1.2.1. Establishing and operating vending facilities.

1.2.2. Receiving contracts to operate cafeterias.

1.2.3. In conjunction with acquisition or substantial alteration or property renovation, satisfactory sites shall be provided for blind vending facilities operation. A determination that a building contains a satisfactory site is presumed if the SLA and the on-site official consult and agree that the site or sites provided are satisfactory.

1.2.4. Receiving a share of income from vending machines directly operated by or by contract by a DoD Component.

1.3. This priority will not be accorded when the on-site official determines, after conferring with AFPC/SV, that the interests of the United States would be adversely affected if the priority were accorded.

1.3.1. The installation's need to generate nonappropriated funds (NAFs) doesn't alter the priority for the blind to operate vending facilities. This factor alone is not sufficient to support a determination that the interests of the United States would be adversely affected.

1.4. DoD Instruction 1125. 03 applies to Air Force installations and locations in:

1.4.1. All 50 states.

1.4.2. The District of Columbia.

1.4.3. The Commonwealth of Puerto Rico.

1.4.4. Any territory or possession of the United States.

1.5. Responsibilities:

1.5.1. The Director of Air Force Services (AF/A1S) serves as the head of the DoD Component and implements DoDI 1125.03 within the Department of the Air Force.

1.5.1.1. Within 90 days after the end of each fiscal year, AF/A1S shall forward to the Principal Deputy Under Secretary of Defense for Personnel and Readiness (PDUSD (P&R)) the total number of applications for vending facility locations received from the SLAs; the number accepted; the number denied; the number still pending; the total

amount of vending machine income collected and the amount of such vending machine income disbursed to the SLA in each state. These reporting requirements have been assigned Report Control Symbol DD-P&R (A)2210, according to DoD 8910.1-M, *Department of Defense Procedures for Management of Information Requirements*.

1.5.2. AFPC/SV oversees and administers the program and is responsible for:

1.5.2.1. Serving as the Administrator and the “Approving Official” of the Air Force Randolph Sheppard Act Program, which approves or disapproves all blind vending permits. Permits are approved or disapproved subsequent to the Air Force Judge Advocate Field Support Center, Services Division (AF/JAA-S) legal review and AFPC/SV review.

1.5.2.2. Coordinating actions on applications for vending facility permits and determinations concerning satisfactory sites with Army and Air Force Exchange Service (AAFES), as appropriate, when the designated sites may negatively affect the sales and patronage of AAFES activities.

1.5.3. The installation commander is the “On-site Official” for the purposes of this instruction. For Air Force locations without installation commanders, the senior individual in command of the location serves as the “On-site Official.”

1.5.4. The Force Support Squadron (FSS) Commander/Director provides staff support relating to this instruction at the installation.

1.5.5. Blind vending permits shall be issued in the name of the SLA.

Chapter 2

PROGRAM GUIDELINES FOR VENDING OPERATIONS

2.1. Vending Operations Reporting Contact. Immediately report any contact by non-DoD sources with any Air Force installation concerning requests for or questions about the program's benefits or entitlements to AFPC/SV. (*Exception:* Routine contractor communications regarding appropriated fund (APF) or NAF actions). Provide AFPC/SV concurrent installation information reports.

2.1.1. Air Force Civilian Welfare Fund (AFCWF) for contacts affecting nonappropriated fund instrumentalities (NAFI) subject to AFCWF jurisdiction.

2.1.2. AAFES for contacts affecting AAFES activities.

2.1.3. Assistant Secretary of the Air Force, Acquisition, Contracting for contacts affecting appropriated fund activities.

2.2. Take no action on such contacts without specific guidance and authorization from AFPC/SV. This requirement applies to all such contacts with activities on Air Force installations, including those with AAFES activities.

2.3. The Air Force honors the priority for the blind to establish and operate vending facilities (other than cafeterias):

2.3.1. On the request of the SLA for the blind whenever a vending facility is initially established.

2.3.2. When a FSS Services activity terminates its direct or contracted operation of an existing vending facility for which there is a continuous need.

2.3.3. Any acquired (purchased, rented, leased, constructed), or substantially altered or renovated building is required to have one or more satisfactory sites (see **Attachment 1, Terms**) for a blind-operated vending facility, except as provided in [paragraph 2.3.3.2](#)

2.3.3.1. A determination that a building contains a satisfactory site, or sites is, presumed made if the SLA and the "On-site Official" consult and agree that the site or sites provided are satisfactory.

2.3.3.1.1. The installation will notify the appropriate SLA by certified or registered mail, return receipt requested, of buildings to be acquired or substantially altered or renovated. This notification will be provided at least 60 days in advance of the intended acquisition date or the initiation of actual construction, alteration or renovation. As a practical matter, the SLA will be contacted as early as possible in the project planning or design stage (see [Attachment 3](#)). (This notice requirement does not apply in cases as described in [paragraph 2.3.3.1.1.3](#)). The notification will:

2.3.3.1.1.1. Indicate that a satisfactory site or sites for the location and operation of a blind vending facility is included in the plans for the building.

2.3.3.1.1.2. Forward a copy of a single line drawing indicating the proposed location of such a site or sites.

2.3.3.1.1.3. Assure the SLA that, subject to the approval of the installation

involved, it will be offered the opportunity to select the location and type of vending facility to be operated by a blind vendor prior to completion of the final building space layout.

2.3.3.1.1.4. Advise the SLA of their requirement to respond within 30 days acknowledging receipt of the correspondence from the installation and indicating whether it is interested in establishing a vending facility, and if interested, indicating its agreement or alternate selection of a location and its selection of the type of vending facility. A copy of the written notice to the SLA and the SLA's response, if any, will be provided to the Secretary, Health, Education and Welfare through AFPC/SV.

2.3.3.1.2. If the SLA responds that it does not desire to establish and operate a vending facility and sets forth any specific basis other than the insufficiency of persons to support a vending facility, or if the SLA does not respond within 30 days, then a site meeting the anticipated needs of the installation will be incorporated into the building plan. Each such site shall have a minimum of 250 square feet for sale of items and for storage of articles necessary for the operation of a vending facility.

2.3.3.1.3. If the SLA indicates that the number of persons using the property is, or will be, insufficient to support a vending facility, then a satisfactory site to be operated under the auspices of the SLA shall not be incorporated. The "On-site Official" shall, through AFPC/SV, notify the Secretary, Health, Education and Welfare of the SLA's response.

2.3.3.2. The requirement to provide a satisfactory site does not apply:

2.3.3.2.1. When fewer than 100 Federal employees will be located in the building during normal working hours; or

2.3.3.2.2. When the building contains less than 15,000 square feet to be used for Federal Government purposes and the Federal Government space is used to provide services to the general public.

2.3.4. The provisions above do not preclude arrangements under which vending facilities to be operated by blind vendors may be established in buildings of a size or with an employee population less than specified. For example, if a building is to be constructed that will only contain 30 Federal employees, upon agreement of the "On-site Official" and the SLA, the "On-site Official" may determine to provide a satisfactory site in which the blind agreed to operate a vending facility.

2.3.5. When an Air Force organization is leasing all or part of a privately owned building in which the lessor or any of its tenants have an existing restaurant or other food facility in part of the building not covered by the lease, and operation of a vending facility would be in substantial direct competition with such restaurant or other food operation, the requirement to provide a satisfactory site does not apply.

2.4. The "On-site Official" provides AFPC/SV with immediate notification of any complaint filed by the SLA or FSS Services activity. Provide concurrent notice to the AFPC/SV, and to the AAFES, as appropriate. This paragraph does not apply to disputes that

arise under any APF or NAF contracts. Process such disputes under the disputes procedures prescribed in the applicable contracts.

2.5. The “On-site Official” submits all correspondence concerning determinations that US interests would be adversely affected directly to AFPC/SV. Provide information copies to AAFES ([paragraph 2.1.2](#)), where appropriate.

2.6. Send all applications for permit to AFPC/SV. Send information copies to AAFES, where appropriate.

2.6.1. See [Attachment 2](#) for a sample permit to use in processing SLA applications. Do not change the format, with the following exceptions:

2.6.1.1. Add the variable local information, e.g., type, location, and size of facility, operating hours, etc.

2.6.1.2. List types of articles sold such as newspapers in attachment C to the permit. The SLA determines what items and services the vending facility will stock after consulting with the “On-site Official.” Articles sold at such vending facilities may consist of newspapers, periodicals, publications, confections, tobacco products, foods, beverages, chances for any lottery authorized by the State law and conducted by an agency of a State within such State, and articles or services traditionally found in blind-operated vending facilities operated under Section 107 of Title 20, United States Code, as determined by the SLA, in consultation with the on-site official, to be suitable for a particular location. Articles and services may be automatically or manually dispensed.

2.7. The permit will be issued for an indefinite period of time subject to suspension or termination upon failure to comply with agreed upon terms; and cases of (a) inactivation of the installation or activity, (b) loss of use of a building or other facility housing the vending facility, or (c) change in Air Force’s requirements for service, or (d) inability of the SLA to continue to operate the vending facility

2.8. The permit will provide that:

2.8.1. No charge will be made by the Air Force to the SLA for normal repair and maintenance of the building, or for cleaning areas adjacent to the designated vending facility boundaries, or for trash removal from a designated collection point.

2.8.2. The SLA is responsible for cleaning and maintaining the appearance of, and for the security of, the vending facility within designated boundaries of such facility and for all costs of any kind in conjunction with vending facility equipment, merchandise and other products to be sold. Installation, modification, relocation, removal, and renovation of vending facilities are subject to the prior approval of the “On-site Official” and the SLA. Costs of installation, modification, removal, relocation, or renovation will be paid by the initiating party. Neither party will be responsible for loss or damage to the other’s property, unless proximately caused by its acts of omissions. The SLA is also responsible for the acts of omission of the blind vendor, his employees or agents.

2.8.3. Vending facilities will be operated in compliance with applicable health, sanitation and building codes, ordinances and regulations.

2.8.4. The permit will also contain appropriate requirements for reimbursement to direct payment for support services such as utilities and telephone services.

2.8.5. In the event the blind licensee fails to provide satisfactory service or otherwise fails to comply with the requirements of the permit issued to the SLA, the “On-site Official” will, after coordinating with AFPC/SV, notify the SLA of this deficiency in writing and request corrective action within a specified reasonable time. The notice will indicate that failure to correct the deficiency will result in temporary suspension or termination of the permit, as appropriate. AFPC/SV will recommend suspension or termination action after legal review and coordination through AFPC Services Director, AF/JAA-S, AF/A1S, and the office of the Principle Deputy Under Secretary of Defense for Personnel and Readiness (PDUSD(P&R)).

2.9. Vending machine income (as defined in Attachment 1) generated by the installation will be shared with the SLAs for the blind and/or blind vendors. The determination of whether a vending machine is in direct competition with the blind-operated vending facility is the responsibility of the “On-site Official” subject to the concurrence of the SLA. The vending machine income-sharing requirements are as follows:

2.9.1. One hundred percent (100%) of the vending machine income from vending machines in direct competition with blind-operated vending facilities will be provided to the SLA.

2.9.2. Fifty percent (50%) of the vending machine income from vending machines not in direct competition with blind-operated vending facilities will be provided to the SLA.

2.9.3. Thirty percent (30%) of the vending machine income from vending machines not in direct competition with blind-operated vending facilities, and located where at least 50 percent of the total hours worked on the premises occur during other than normal working hours, will be provided to the SLA.

2.9.4. All direct costs are deducted from gross income prior to calculating shared income.

2.10. Vending machine income-sharing requirements do not apply to:

2.10.1. Income from vending machines operated by, or for, the military exchanges.

2.10.2. Income from vending machines, not in direct competition with a blind-operated vending facility, at any individual location, installation, or facility where the total of the vending machine income from all such machines at such location, installation, or facility does not exceed \$3,000 (per building) per fiscal year.

2.11. The payment to SLAs under these income-sharing requirements must be made quarterly on a fiscal year basis.

Chapter 3

PROGRAM GUIDELINES FOR CAFETERIAS

3.1. Program Guidelines for Cafeterias. The blind have priority in the award of contracts to operate cafeterias (see definition [Attachment 1](#)) on DoD-controlled property (does not apply to full food services, mess attendant services or services supporting the operation of a military dining facility (DoDI 1125.03, Paragraph 1.d.)) as follows:

3.1.1. Direct negotiations may be undertaken with the SLA for award of a contract on a sole-source basis whenever the “On-site Official,” with concurrence of AFPC/SV, determines that the SLA, through its blind licensee, can provide the cafeteria services required at a reasonable cost, with food of high quality comparable to that available from other providers of cafeteria services. In the event direct negotiations fail to result in a contract with the SLA, the procedures in paragraph 5.2. will be followed.

3.2. When contracting for the operation of a cafeteria on a competitive basis the procuring activity shall issue a copy of the solicitation to the appropriate SLA. The solicitation, when issued, will establish basic requirements and criteria for evaluating proposals. The criteria upon which proposals are evaluated shall be the same for all competitive sources (including any responding SLA) and may include factors such as sanitation practices, personnel, staffing, menu pricing and portion size, variety, budget and accounting practices, fees and other relevant considerations.

3.2.1. If the SLA submits a proposal that is not within the competitive range established by the contracting officer, award may be made to another offeror following normal procurement procedures, but only after the “On-site Official” confers with AFPC/SV.

3.2.2. If the SLA submits a proposal that is within the competitive range established by the contracting officer, the contract will be awarded to the SLA except as follows:

3.2.2.1. The contracting officer may award to other than the SLA when the “On-site Official” determines that the award to the SLA would adversely affect the interests of the United States and the Secretary, U.S. Department of Education, approves the determination (processing must be fully justified in writing through AFPC/SV), or when the “On-site Official” determines, after conferring with AFPC/SV, and the Secretary, U.S. Department of Education, agrees, that the blind vendor does not have the capacity to operate a cafeteria/dining facility in such a manner as to provide food service at a comparable cost and of comparable high quality as that available from other providers of cafeteria services.

3.3. The operation of a cafeteria by a blind vendor will be governed by contractual agreement, not by a permit. 3.4 All contracts for the operation of cafeterias with other than SLAs will, upon expiration, be processed under the above paragraphs unless the SLA informs the “On-site Official” that it is declining to assert its priority at that time.

DARRELL D. JONES
Lieutenant General, USAF
DCS, Manpower, Personnel, and Services

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

AFPD 34-2, *Managing Nonappropriated Funds*, 21 June 2012

DoDI 1125.03, *Vending Facility Program for the Blind on DoD-Controlled Federal Property*, 22 December 2009

DoD 8910.1-M, *Department of Defense Procedures for Management of Information Requirements*, 30 June 1998

Randolph-Sheppard Vending Stand Act (49 Stat. 1559, as amended by Act of 3 August 1954) (P.L. 83-556 (68 Stat. 663), as further amended by P.L. 93-516 (88 Stat. 1622) 20 U.S. C. 107)

AFMAN 33-363, *Management of Records*, 1 March 2008

Adopted Forms

AF Form 847, *Recommendation for Change of Publication*

Abbreviations and Acronyms

AAFES—Army & Air Force Exchange Service

AF/A1S—Director of Air Force Services

AFCWF—Air Force Civilian Welfare Fund

AFMAN—Air Force Manual

AFPC/SV—Air Force Personnel Center Services Directorate Management Support

AFPD—Air Force Policy Directive

APF—Appropriated Fund

DoD—Department of Defense

DoDI—Department of Defense Instruction

FSS—Force Support Squadron

MAJCOM—Major Command

NAF—Nonappropriated Fund

NAFI—Nonappropriated Fund Instrumentality

PDUSD (P&R)— Principle Deputy Under Secretary of Defense for Personnel and Readiness

SAF/ACQ—Secretary of the Air Force Acquisition Office

SLA—State Licensing Agency

Terms

Blind Licensee— A blind person licensed by the SLA to operate a vending facility on DoD-controlled property.

Cafeteria— A food dispensing facility that provides a broad variety of prepared foods and beverages (including hot meals) primarily through the use of a line where the customer serves himself or herself from displayed selections. A cafeteria may be fully automatic, or some limited waiter or waitress service may be available and provided within the cafeteria, and table or booth seating facilities are always provided. The DoD Component food dispensing facilities that conduct cafeteria-type operations during part of their normal operating day and full table-service operations during the remainder of their normal operating day are not "cafeterias" if they engage primarily in full table-service operations.

Direct Competition— The presence and operation of a DoD Component vending machine or a vending facility on the same DoD-controlled property as a vending facility operated by a blind vendor. Vending machines or vending facilities operated in areas serving employees, the majority of whom normally do not have access (in terms of uninterrupted ease of approach and the amount of time required to patronize the vending facility) to the vending facility operated by a blind vendor, will not be considered to be in direct competition with the vending facility operated by a blind vendor.

Federal Property— Any building, land, or other real property owned, leased, or occupied the Department of Defense in the United States.

DoD—controlled Property - Federal property that is owned, leased, or occupied by the Department of Defense.

Head of the DoD Component— Deputy Secretary of Defense, Secretaries of the Military Departments and the Directors of Defense Agencies or their designees.

Individual Location, Installation, or Facility— A single building or a self-contained group of buildings. A self-contained group of buildings refers to two or more buildings that must be located in close proximity to each other and between which a majority of the Federal employees working in such buildings regularly move from one building to another in the normal course of their official business during a normal working day.

Federal Employees— Civilian APF and NAF employees of the United States.

License— A written instrument issued by a State Licensing agency to a blind person, authorizing that person to operate a vending facility on DoD-controlled property.

Military Dining Facility— A facility owned, operated, or leased and wholly controlled by the DoD and used to provide dining services to members of the Armed Forces, including a cafeteria, military dining facility, military troop dining facility, or any similar dining facility operated for the purpose of providing meals to members of the Armed Forces.

Normal Working Hours— An 8-hour work period between the approximate hours of 0800 and 1800, Monday through Friday.

On—Site Official - The individual in command of an installation or separate facility or location. For the Pentagon Reservation only, the Washington Headquarters Services Director of Defense Facilities Directorate is designated as the on-site official.

Permit— The official written approval given to a SLA by a department, agency, or instrumentality responsible for DoD-controlled property whereby a SLA is authorized to establish a vending facility requested by and issued to a SLA by a DoD Component.

Satisfactory Site— An area fully accessible to vending facility patrons and having sufficient electrical, plumbing, heating and ventilation outlets for the location and operation of a vending facility in compliance with applicable health laws and building requirements. A satisfactory site shall have a minimum of 250 square feet available for sale of items and for storage of articles necessary for the operation of a vending facility, unless the Head of the DoD Component and SLA agree that a smaller facility is appropriate.

State— A state, the District of Columbia, the Commonwealth of Puerto Rico, a territory, or possession of the United States.

State Licensing Agency— The State agency designated by the U.S. Department of Education to issue licenses to blind persons for the operation of vending facilities on Federal and other property.

Substantial Alteration or Renovation— A permanent material change in the floor area of a building that would render it appropriate for the location and operation of a vending facility by a blind vendor.

Vending Facility— Automatic vending machines, cafeterias, snack bars, cart service, shelters, counters, and such other appropriate auxiliary equipment that may be operated by blind licensees and that are necessary for the sale of newspapers, periodicals, confections, tobacco products, foods, beverages, and other articles and services to be dispensed automatically or manually and that are prepared on or off the premises according to applicable health laws. Also includes facilities providing the vending or exchange of chances for any lottery authorized by State law and conducted by an agency of a State within such State.

Vending Machine— For the purposes of assigning vending machine income, a coin- or currency-operated machine that dispenses articles or services, except those machines operated by the United States Postal Service for the sale of postage stamps or other postal products and services, machines providing services of a recreational nature (e.g., juke boxes, pinball machines, electronic game machines, pool tables, shuffle boards, etc.) and telephones, shall not be considered as vending machines.

Vending Machine Income— DoD Component receipts from DoD Component vending machine operations on DoD-controlled property, where the machines are operated by any DoD Component activity, less costs incurred; or

Commissions received by any DoD Component activity from a commercial vending firm that provides vending machines on DoD—controlled property.

“Costs incurred” including costs of goods, reasonable service and maintenance costs in accordance with customary business practices of commercial vending concerns, repair, cleaning, depreciation, supervisory and administrative personnel, normal accounting and accounting for income—sharing.

Vendor— A blind licensee who is operating a vending facility on DoD-controlled property.

Attachment 2

SAMPLE APPLICATION AND PERMIT FOR ESTABLISHMENT OF A VENDING FACILITY ON FEDERAL PROPERTY

Figure A2.1. Sample Application and Permit for vending Facility on Federal Property

DEPARTMENT OF EDUCATION
Office of Human Services
Rehabilitation Services Administration
Washington D.C.

APPLICATION AND PERMIT FOR ESTABLISHING A VENDING FACILITY ON
FEDERAL PROPERTY AS AUTHORIZED BY P.L. 74-732, AS AMENDED BY P.L. 83-565
AND TITLE II OF P.L. 93-516 (RANDOLPH-SHEPPARD ACT)

The _____ of the State of _____ requests
approval of _____ to place a vending facility on the property
located at _____.

SAFTISFACTORY SITE. This location meets the criteria of a satisfactory site as defined in 34
CFR 395.1(q). Attachment A documents exceptions.

TYPE, LOCATION, AND SIZE OF FACILITY. Type of facility

_____ ; facility location _____ ;

Facility size _____. Attachment B is the Floor Plan.

Attachment C lists the types of articles to be sold and services to be offered. Attachment D lists
the required fixtures and equipment and specifies who must provide them. Attachment E lists
the location, type, and number of vending machines that constitute all or part of the facility. The
facility will operate _____ days of the week from _____ A.M. to _____ P.M.,
beginning _____.

MACHINE INCOME SHARING. Attachment F lists the type and location of each vending
machine on this property and the specific income-sharing provisions in 34 CFR 395.32
applicable to each machine. Disburse vending machine income to the state licensing agency on
at least a quarterly basis (fiscal year), unless a mutual agreement specifies otherwise.

FOR OTHER TERMS AND CONDITIONS SEE ATTACHMENT G.

Approving Property On-site Official

Approving State Licensing Agency Official

Title

Date

Title

Date

Approving Air Force Official
Administrator, Air Force
Randolph-Sheppard Act Program

Date

Sample application and permit for establishment of a vending facility on federal property (cont)

**ATTACHMENT G
OTHER TERMS AND CONDITIONS**

1. Both parties must comply with 34 CFR 395.16. The Air Force issues this permit for an indefinite period of time subject to suspension or termination on the basis of noncompliance by either party with any of the agreed upon terms and conditions of the permit. By mutual agreement, the state licensing agency (SLA) and the property agency or owner may terminate the permit after providing notice of the intended termination, including the reason therefore and supporting documentation to the other party. Both parties must comply with all regulations issues in Title VI of the Civil Rights Act of 1964. Reason for denial of the application must be presented in writing to the state.
2. The (AF installation) may not charge the SLA for normal repair and maintenance of the building, for cleaning areas adjacent to the designated vending facility boundaries, or for removing trash from a designated collection point.
3. The SLA is responsible for cleaning, maintenance, and security of the vending facility and for all costs relating to vending facility equipment, merchandise, and other commercial products, except as provided in paragraph 6. Neither party is responsible for loss or damage to the other's property unless proximately caused by acts or omissions. The SLA is also responsible for acts or omission of the blind vendor and his or her employees or agents.
4. Vendors must operate facilities in compliance with applicable health, sanitation, and building codes, ordinances and regulations.
5. The "On-site Official" and the SLA must approve all vending-facility projects, including installation, modification, relocation, removal and renovation. The initiating party shall pay the costs of installation, modification, relocation, removal, or renovation. If officials suspend or terminate a permit because of noncompliance, the non-complying party bears all costs for removing vending machines from the building.
6. The (AF installation) provides utility support and bills the state licensing agency. The SLA must pay no later than 30 days after receiving the bill.
7. This permit is issued for an indefinite period of time, subject to these suspension and termination stipulations:
 - a. Permits are suspended or terminated when any party fails to comply with agreed upon terms after notice to the other party or when any party fails to correct non-complying performance.
 - b. Permits are terminated upon receipt of 60 days written notice when the Air Force closes an installation or activity or changes its requirements for services; when the building that contains the vending site can no longer be used for that purpose; or when the SLA can no longer continue to operate the vending facility.

Attachment 3**SAMPLE LETTER FORMAT TO NOTIFY THE STATE LICENSING AGENCY OF A
SUITABLE SITE FOR A VENDING FACILITY****Figure A3.1. Sample Letter Format**

MEMORANDUM FOR (State Licensing Agency)

FROM:

SUBJECT: Randolph-Sheppard Act Amendments – ACTION MEMORANDUM

1. In accordance with Randolph-Sheppard Act as amended, enclosed is a line drawing of a building (to be constructed) (designated for substantial alteration or renovation) (to be acquired) at _____. The Air Force has designated a general – purpose satisfactory site for the blind-operated vending facility, which is identified on the drawing. Installation officials consider this location to be most conveniently accessible to the majority of the _____ Federal employees projected to work in the facility. If you decide that this number is sufficient to support a vending facility, please indicate your concurrence or your counter-proposal, and a description of the type of vending facility to be operated. If you don't consider this site satisfactory and subject to Air Force approval, you will have the opportunity to select the location and type of vending facility to be operated before the final space layout of the building is complete. If you decide that you aren't prepared to establish such a facility in this building for operation by a blind licensee, or if it is not your intention to establish a vending facility at this time, please let me know.

2. In the event you don't respond within 30 days of receiving this letter or don't provide an explanation for your decision not to establish a vending facility, I will assume you have determined that the number of employees using this building is or will be insufficient to support such a facility.

Signature block of on-site official
(Note: On-site official is the installation Commander)

Attachment:
Line Drawing

cc:
DoEd Region
HQ (MAJCOM)/Director of Services
AFPC/SV

Attachment 4

**REGIONAL OFFICE DIRECTORY, DIRECTOR OFFICE OF SPECIAL EDUCATION
AND REHABILITATION SERVICES (OSERS)**

Table A4.1. Regional Office Directory, Director OSERS

REGION I - Connecticut, Massachusetts, New Hampshire, Rhode Island, and Vermont
Dept. of Education OSERS J. W. McCormack Post Office and Court House, Rm 500 Boston MA 02109-4577 (617) 223-4577
REGION II – New Jersey, New York, Puerto Rico, and the Virgin Islands
Dept. of Education OSERS 75 Park Place New York NY 10007 (212) 637-6449
REGION III – Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia
Dept. of Education OSERS 100 Penn Square East, Ste 505 Philadelphia PA 19107 (215) 656-6173
REGION IV – Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee
Dept. of Education OSERS 61 Forsyth Street SW Atlanta GA 30303 (404) 562-6330
REGION V – Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin
Dept. of Education OSERS 111 North Canal Street Chicago IL 60606 (312) 353-9370
REGION VI – Arkansas, Louisiana, New Mexico, Oklahoma, and Texas

Dept. of Education OSERS
Harwood Center
1999 Bryan Street
Dallas TX 75201-6817
(214) 880-4927

REGION VII – Iowa, Kansas, Missouri, and Nebraska

Dept. of Education
10220 N. Executive Hills Blvd
Kansas City MO 64153-1367
(816) 880-4100

REGION VIII – Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming

Dept. of Education OSERS
Federal Office, Room 310
1244 Speer Blvd
Denver CO 80204-3582
(303) 844-2137

REGION IX – Arizona, California, Hawaii, Nevada, Guam, Trust Territory of Pacific Islands, and American Samoa

Dept. of Education
Federal Office Building, Room 215
50 Nations Plaza
San Francisco CA 94102
(415) 437-7840

REGION X – Alaska, Idaho, Oregon, and Washington

Dept. of Education
915 Second Ave
Seattle WA 98174-1099
(206) 220-7845

Attachment 5

FEDERAL EMPLOYEE COMPUTATION FORMULA

Table A5.1. Federal Employee Computation Formula

NORMAL WORK HOURS	0700-1800
WORKDAY	*ACTUAL NUMBER OF SCHEULED EMPLOYEES FOR EACH WORKDAY
TUESDAY	90
WEDNESDAY	85
THURSDAY	89
FRIDAY	95
SATURDAY	122
SUNDAY	130
CLOSED MONDAY	
TUESDAY	90
WEDNESDAY	85
THURSDAY	89
FRIDAY	95
SATURDAY	122
SUNDAY	<u>130</u>
TOTAL EMPLOYEES SCHEDULED FOR PAYROLL PERIOD	1,222
DIVIDE BY NUMBER OF WORKDAYS IN PAYROLL PERIOD	12
EQUALS AVERAGE NUMBER OF EMPLOYEES PER WORKDAY	101.8

NOTE: * Add regular and flexible employees, including off-duty military personnel regardless of the number of hours they work.

Attachment 6**SAMPLE MEMORANDUM TO DEPARTMENT OF EDUCATION IF STATE
LICENSING AGENCY RESPONDS AND DECLINES BECAUSE OF INSUFFICIENCY
OF PERSONS TO SUPPORT A VENDING FACILITY****Figure A6.1. Sample Memo to Department of Education**

<p>MEMORANDUM FOR AFPC/SV (Regional Office, Department of Education) IN TURN</p> <p>FROM:</p> <p>SUBJECT: Randolph-Sheppard Act Amendments – ACTION MEMORANDUM</p> <p>1. Reference my letter of _____, regarding the Randolph-Sheppard Act. I forwarded the (State Licensing Agency) a line drawing of a building (to be constructed) (designated for substantial alteration or renovation) (to be acquired) at _____. The drawing incorporated a proposed site for a blind-operated vending facility. A copy of this correspondence was furnished concurrently to your office.</p> <p>2. I have been notified by the State Licensing Agency that is does not desire a site for a blind-operated vending stand to be provided, as per their attached letter. Accordingly, and unless otherwise directed by the Secretary of Education, a satisfactory site for a blind-operated vending facility will not be incorporated in the final plans.</p> <p>(Signature block of On-site Official)</p> <p>Attachment: (State Licensing Agency) Ltr, (date)</p> <p>cc: (as appropriate)</p>
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